



8-25-03

AK/3636

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PTO/SB/21 (08-00)  
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	09/986,213
	<b>Filing Date</b>	10/22/2001
	<b>First Named Inventor</b>	Xue, Ryan et al.
	<b>Group Art Unit</b>	3636
	<b>Examiner Name</b>	Burnham, Sarah C.
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket No.</b> 41575-29337 (114)

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Charge Deposit Account -08-3460 <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> Affidavits/declarations(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 <input type="checkbox"/> Petition For Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b)	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> NOTICE OF APPEAL <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Request To Rescind Previous Nonpublication Request <input type="checkbox"/> Response to Notice of Allowability <input type="checkbox"/> Other Enclosure(s) (please identify below):
<b>Remarks:</b> <input checked="" type="checkbox"/> Commissioner is hereby authorized to charge fees in this application and any fees which may be required, or any overpayment, to Deposit Account 08-3460. I have enclosed a duplicate copy of this sheet <input checked="" type="checkbox"/> Amount: \$320.00		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

<b>Firm or Individual Name</b>	Grant D. Kang; Husch & Eppenberger LLC, 190 Carondelet Plaza, St. Louis, MO 63105; Telephone 314.480.1500; Facsimile 314.480.1505
<b>Signature</b>	<i>Grant D. Kang</i>
<b>Date</b>	9/25/03

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**CERTIFICATE OF EXPRESS MAILING**  
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<b>Typed or printed name</b>	Tina Marlow		
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**NOTICE OF APPEAL FROM THE  
EXAMINER TO THE BOARD OF  
PATENT APPEALS AND INTERFERENCES**

DOCKET NUMBER: **41575-29337 (11)**

In Re Application of: **Xue, Ryan et al.**

Application No.  
**09/986,213**

Filed:  
**10/22/01**

For: **APPARATUS AND METHOD FOR CYCLIC  
ADJUSTMENT OF A SUPPORTING ELEMENT IN A  
SEAT**

Art Unit: **3636**

Examiner:  
**BURNHAM, SARAH C.**

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Typed or Printed Signature: **TINA MARLOW**  
Signature: *Tina Marlow*

Date: **9-25-03**



Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37CFR 1.17(b))

**\$320.00**

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half and the resulting fee is:

\$

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

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☒ The Director is hereby authorized to charge any additional fees that may be required, or credit any overpayment to Deposit Account No. 08-3460. I have enclosed a copy of this sheet.

☐ A petition for extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

I am the:

☐ Applicant/inventor

☐ Assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.

☒ Attorney or agent of record. Registration No.: **37,651**

☐ Attorney or agent acting under 37 CFR 1.34(a). Registration if acting under 37 CFR 1.34(a):

**Grant D. Kang**

Typed or Printed Name

**314.480.1500**

Telephone Number

**9/25/03**

Date

☒ Total of 0 forms are submitted.